

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

MICHAEL EVANS,	)	
	)	
Petitioner,	)	
	)	
vs.	)	Civil Action No. 00-0664
	)	
SUPERINTENDENT, STATE	)	Judge Joy Flowers Conti
CORRECTIONAL INSTITUTION	)	Magistrate Judge Amy Reynolds Hay
ROCKVIEW, ATTORNEY GENERAL	)	
OF THE COMMONWEALTH OF	)	
PENNSYLVANIA,	)	
	)	
Respondents.	)	

**ORDER**

AND NOW, this 26th day of May, 2006, after the Petitioner, Michael Evans, filed an action in the above-captioned case, and after, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, and no objections having been filed, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that the petition for writ of habeas corpus is transferred to the United States Court of Appeals for the Third Circuit for consideration as an application to file a successive petition as required under 28 U.S.C. § 2244(b)(3) forthwith.

/s/ Joy Flowers Conti  
JOY FLOWERS CONTI  
United States District Judge

cc: Honorable Amy Reynolds Hay  
United States Magistrate Judge

Michael Evans  
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